

**AN ORDINANCE
BY COUNCILMEMBERS CARLA SMITH AND IVORY LEE YOUNG, JR.
AS SUBSTITUTED BY ZONING COMMITTEE**

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF
THE ZONING CODE OF THE CITY OF ATLANTA, FOR
THE PURPOSE OF CLARIFYING AND/OR DEFINING
CERTAIN TERMS RELATED TO SUPPORTIVE HOUSING
AND SHELTERS; TO PROVIDE WHERE SUCH USES
SHALL BE PERMITTED; AND FOR OTHER PURPOSES.**

WHEREAS, Section 16-29.001 of the City of Atlanta Zoning Code contains definitions of terms that describe the permitted uses; and

WHEREAS, the City also desires to define Supportive Housing and Shelters and other related terms for the purpose of enabling persons and neighborhoods to gain greater understanding and an awareness of the need for Supportive Housing; and

WHEREAS, the City of Atlanta Zoning Code states the manner in which uses are permitted in various zoning classifications; and

WHEREAS, it is in the best interest of the city to clarify and define Supportive Housing and Shelters in the Zoning Code in an effort to become more consistent with local, state, county and federal government regulations and to adopt legislation for that purpose; and

WHEREAS, it is in the best interests of the City and for the health, safety and welfare of its residents and businesses that these definitions be adopted to provide more specific guidance as to where Supportive Housing and shelter uses may be located, and to provide how applications for such uses will be processed.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY
ORDAINS, as follows:**

Section 1. That Section 16-29.001 of the Zoning Code of the City of Atlanta be amended by **striking** the language which reads:

(71) Supportive Housing: sleeping facilities or housing, whether provided on a transitional, temporary or permanent basis and which may be provided in conjunction with the provision of medical care, job training, counseling and/or substance abuse counseling services and having all of the following characteristics:

- 1) The facility is operated on a not for profit basis;

- 2) Registration or any other type of permission to occupy the facility is required on a daily basis or under agreements or leases designed to ensure reservation of space;
- 3) Facilities and services include sleeping facilities, and/or personal sanitation facilities and may include the provision of meals, medical care, job training, counseling and/or substance abuse counseling services;
- 4) The supervision of residents and persons using the facilities and services made available is primarily provided for the purpose of enforcement of the rules and regulations pertaining to the operation of the place of use and not for the purpose of attending to the personal care needs of the persons served with respect to the supervision of self-administered medication, or with the essential activities of daily living such as bathing, grooming, dressing and toileting.

(a) A Special Use Permit is required to operate a Supportive Housing Facility. In addition to the requirements set forth in 16-25.003, Supportive Housing Facilities shall comply with the following standards:

- 1) No such facility shall be located within 2,000 feet of any Personal Care Home, Assisted Living Facility, Nursing Home, Rehabilitation Center, or other Supportive Housing Facility.
- 2) Each location shall be within 1,500 feet of a public transportation station or transit stop.
- 3) Where such use is allowed in any zoning district where no parking requirements for the use are specified, one parking space shall be required for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.
- 4) Each facility shall provide a bed or crib for each resident.
- 5) Each facility shall allow restroom facilities to be available to residents at all times when residents are allowed on the property.
- 6) Each facility shall meet the minimum standards set forth in the City of Atlanta Housing Code for a "building with a special use" as set forth in Section 26 (as recodified or amended).

- 7) The owner or operator of the facility shall maintain a minimum staffing ratio of one (1) staff member for every thirty (30) residents during the hours from 8:00 am to 6:00 pm and one (1) staff member for every twenty (20) residents during the hours from 6:00 pm to 8:00 am.
- 8) No facility shall allow either cooking or smoking in any room used for sleeping.
- 9) In any facility where indoor smoking is permitted, smoking shall be restricted to designated areas.
- 10) The owner or operator of the facility shall ensure that all staff members are instructed as to the location of all exits and trained in the use of fire extinguishers.
- 11) Each facility shall have an emergency evacuation plan approved by the Atlanta Fire Department posted in a public area of the facility.
- 12) Each facility shall have emergency exits clearly marked.
- 13) Each facility shall provide direct pedestrian ingress and egress that does not require unauthorized use of other private property.
- 14) Each facility allowing residents to park cars on site shall be required to provide on-site parking meeting the district regulations for commercial uses in addition to any other parking requirements.

(b) When the National Weather Service reports either that the temperature or wind chill is below thirty-two (32) degrees Fahrenheit or that a weather advisory is in effect, the owner or operator of a facility shall be excused from the minimum space requirements set forth in this section.

(c) After the date of adoption of this ordinance, the holder of any Special Use Permit or any Special Administrative Permit for any use which would be classified as Supportive Housing, shall make no alterations or additions to any structure for the purpose of increasing the number of persons to whom any services, including the quantity of sleeping facilities, whether provided as bed spaces or as separate rooms, or increasing the amount of services that are provided are provided without a special use permit issued pursuant to this section except for the purpose of increasing handicapped accessibility.

(d) After the date of adoption of this ordinance, no facility being used in a manner, which would be classified as Supportive Housing, will be allowed to increase the number of persons to whom any services, including sleeping facilities, are provided without a special use permit issued pursuant to this section.

And **replacing** it with the following:

(71) Shelter: Locations that provide sleeping facilities and/or personal sanitation facilities and may include the provision of meals, medical care and/or counseling service that require daily registration for occupancy. On site supervision of residents and persons using the facilities and services made available shall be provided for the purpose of enforcement of the rules and regulations pertaining to the operation of the place of use and not for the purpose of attending to the personal care needs of the persons served with respect to the supervision of self-administered medication, or with the essential activities of daily living such as bathing, grooming, dressing and toileting.

(a) A Special Use Permit is required to operate a Shelter. In addition to the requirements set forth in 16-25.003, a Shelter shall comply with the following standards:

- 1) No such facility shall be located within 2,000 feet, as measured by Sec. 16-29.001(16)(e), of any Personal Care Home, Assisted Living Facility, Nursing Home, Rehabilitation Center, Supportive Housing Facility, or other Shelter.
- 2) Each location shall be within 1,500 feet, as measured by Sec. 16-29.001(16)(e), of a public transportation station or transit stop.
- 3) Where such use is allowed in any zoning district where no parking requirements for the use are specified, one parking space shall be required for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility
- 4) Each facility shall provide a bed or crib for each resident.
- 5) Each facility shall allow restroom facilities to be available to residents at all times when residents are allowed on the property.
- 6) The owner or operator of the facility shall maintain a minimum staffing ratio of one (1) staff member for every forty (40) residents when residents are present.
- 7) No facility shall allow either cooking or smoking in any room used for sleeping.
- 8) In any facility where indoor smoking is permitted, smoking shall be restricted to designated areas.

- 9) The owner or operator of the facility shall ensure that all staff members are instructed as to the location of all exits and trained in the use of fire extinguishers.
 - 10) Each facility shall have an emergency evacuation plan approved by the Atlanta Fire Department posted in a public area of the facility.
 - 11) Each facility shall have emergency exits clearly marked.
 - 12) Each facility shall provide direct pedestrian ingress and egress that does not require unauthorized use of other private property.
- (b) When the National Weather Service reports either that the temperature or wind chill is below thirty-two (32) degrees Fahrenheit or that a winter weather advisory is in effect, the owner or operator of a facility shall be excused from the minimum bed or crib sleeping requirements set forth in this section.
- (c) No existing structure lawfully devoted to a use which after the date of adoption of this ordinance would be classified as Shelter and which is located in a district which permits such use as a result of the adoption of this ordinance shall be enlarged, extended (horizontal or vertical) or moved, without a special use permit issued pursuant to this section and meeting the requirements of subsection (a) above. For the purposes of this subsection, the meaning of enlarge, extend or move shall include, but shall not be limited to, alterations or additions to any structure for the purpose of increasing the number of persons to whom any services, including the quantity of sleeping facilities, whether provided as bed spaces or as separate rooms, or increasing the amount of services that are provided except for the purpose of increasing handicapped accessibility

Section 1A. That Section 16-29.001 of the Zoning Code of the City of Atlanta be amended **by adding** the following language as Subsection (73):

(73) Supportive Housing: Housing provided on a transitional or permanent basis and which shall be provided in conjunction with certain services including but not limited to medical care, job training, counseling and requires the occupants to enter into an agreement or lease in order to reside and use those services.

(a) Supportive Housing shall comply with the following standards:

- 1) Certification, initial or renewal, from the Mayor's Office of Human Services that the operator meets the minimum requirements, as published by the Mayors Office of Human Services, to effectively operate and sustain an ongoing operation that is in the best interest of public health safety and welfare and that the operation is consistent with the City's current adopted Local Consolidated Plan. Certification from the Mayor's Office of Human Services must be

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renewed on an annual basis. As provided in the certification process, the applicant shall notify in writing the NPU Chair of the proposed application and shall present their proposal to the NPU if so requested. The NPU shall have no more than forty five (45) days from receipt of the written notification to review and comment on the application for certification.

- 2) No location shall be within 2,000 feet, as measured by Sec. 16-29.001(16)(e), of any Personal Care Home, Rehabilitation Center, Shelter or other Supportive Housing Facility.
- 3) Each location shall be within 1,500 feet, as measured by Sec. 16-29.001(16)(e), of a public transportation station or transit stop.
- 4) Each living unit will include a functioning kitchen, bathroom(s) and sleeping area(s).
- 5) A bed or crib shall be provided for each resident.
- 6) The owner or operator providing the Housing shall ensure that all staff members are instructed as to the location of all exits and trained in the use of fire extinguishers.
- 7) An emergency evacuation plan approved by the Atlanta Fire Department shall be posted in a public area of the housing.
- 8) Emergency exits shall be clearly marked.
- 9) Direct pedestrian ingress and egress that does not require unauthorized use of other private property is required.
- 10) Each facility shall provide one parking space per every four dwelling units plus two additional spaces to be used by facility staff with the exception of those facilities located in zoning districts which have no minimum residential parking requirements.
- 11) All Building, Fire and Housing Code requirements related to occupancy limits shall be adhered to.

(b) No existing structure lawfully devoted to a use which after the date of adoption of this ordinance would be classified as Supportive Housing and which is located in a district which permits such use as a result of the adoption of this ordinance shall be enlarged, extended (horizontal or vertical) or moved, without first complying with the requirements of subsection (a) above. For the purposes of this subsection, the meaning of enlarge, extend or move shall include, but shall not be limited to, alterations or additions to any structure for the purpose of

increasing the number of persons to whom any services, including the quantity of sleeping facilities, whether provided as bed spaces or as separate rooms, or increasing the amount of services that are provided except for the purpose of increasing handicapped accessibility.

(c) If at anytime the certified operator ceases to operate or manage the facility, transfers responsibility or sells the property to another operator the new operator must acquire their certificate from the Mayor's Office of Human Services and meet the notice requirements of subsection (a)(1) above.

Section 2. That Supportive Housing and Shelter uses be permitted in various zoning districts and governed by off-street parking regulations as follows:

Subsection 2A. That the uses permitted in **RG zoning districts** be amended by the adoption of a new subsection 16-08.003(9) of the Zoning Code of the City of Atlanta, which shall read as follows:

(9) Supportive Housing;

Subsection 2B. That the uses permitted in **R-LC zoning districts** be amended by the adoption of a new subsection 16-09.003(13) of the Zoning Code of the City of Atlanta, which shall read as follows:

(13) Supportive Housing;

Subsection 2C. That the uses permitted in **O-I zoning districts** be amended by the adoption of a new subsection 16-10.003(17) of the Zoning Code of the City of Atlanta, which shall read as follows:

(17) Supportive Housing;

Subsection 2(C)(1). That the uses permitted in **O-I zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-10.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(g) Shelter

Subsection 2(C)(2). That the off-street parking requirements in **O-I zoning districts** be amended as set forth in the following subsections:

(1) that Section 16-10.009(12) of the Zoning Code of the City of Atlanta, which reads as follows:

(12) *Supportive Housing*: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Be amended by striking the existing language and replacing it with the following:

(12) *Shelter*: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2D. That the uses permitted in **C-1 zoning districts** be amended by the adoption of a new subsection 16-11.003(30) of the Zoning Code of the City of Atlanta, which shall read as follows:

(30) Supportive Housing;

Subsection 2(D)(1). That the uses permitted in **C-1 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-11.005(1)(m) of the Zoning Code of the City of Atlanta, which reads as follows:

(m) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(m) Shelter

Subsection 2(D)(2). That the off-street parking requirements in **C-1 zoning districts** be amended as set forth in the following subsections:

(1) that Section 16-11.010(22) of the Zoning Code of the City of Atlanta, which reads as follows:

(22) *Supportive Housing*: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Be amended by striking the existing language and replacing it with the following:

(22) *Shelter*: One parking space for each on duty staff member, whether paid

or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2E. That the uses permitted in **C-2 zoning districts** be amended by the adoption of a new subsection 16-12.003(35) of the Zoning Code of the City of Atlanta, which shall read as follows:

(35) Supportive Housing;

Subsection 2(E)(1). That the uses permitted in **C-2 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-12.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

(k) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(k) Shelter

Subsection 2(E)(2). That the off-street parking requirements in **C-2 zoning districts** be amended as set forth in the following subsections:

(1) that Section 16-12.010(20) of the Zoning Code of the City of Atlanta, which reads as follows:

(20) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Be amended by striking the existing language and replacing it with the following:

(20) *Shelter:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2F. That the uses permitted in **C-3 zoning districts** amended by the adoption of a new subsection 16-13.003(35) of the Zoning Code of the City of Atlanta, which shall read as follows:

(35) Supportive Housing;

Subsection 2(F)(1). That the uses permitted in **C-3 zoning districts** by

special use permit be amended as set forth in the following subsections:

(1) That Section 16-13.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

(k) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(k) Shelter

Subsection 2(F)(2). That the off-street parking requirements in **C-3 zoning districts** be amended as set forth in the following subsections:

(1) that Section 16-13.09(19) of the Zoning Code of the City of Atlanta, which reads as follows:

(19) *Supportive Housing*: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Be amended by striking the existing language and replacing it with the following:

(20) *Shelter*: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2G. That the uses permitted in **C-4 zoning districts** be amended by the adoption of a new subsection 16-14.003(35) of the Zoning Code of the City of Atlanta, which shall read as follows:

(35) Supportive Housing;

Subsection 2(G)(2). That the uses permitted in **C-4 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-14.005(1)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

(i) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(i) Shelter

Subsection 2(G)(3). That the off-street parking requirements in **C-4 zoning districts** be amended as set forth in the following subsections:

(1) that Section 16-14.09(e) of the Zoning Code of the City of Atlanta, which reads as follows:

(e) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Be amended by striking the existing language and replacing it with the following:

(e) *Shelter:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2H. That the uses permitted in **C-5 zoning districts** be amended as set forth by the adoption of a new subsection 16-15.003(37) of the Zoning Code of the City of Atlanta, which reads as follows:

(37) Supportive Housing;

Subsection 2(H)(2). That the uses permitted in **C-5 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-15.005(1)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

(i) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(i) Shelter

Subsection 2(H)(3). That the off-street parking requirements in **C-5 zoning districts** be amended as set forth in the following subsections:

(1) that Section 16-15.08(c) of the Zoning Code of the City of Atlanta, which reads as follows:

(c) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Be amended by striking the existing language and replacing it with the following:

(c) *Shelter*: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2I. That the uses permitted in **I-1 zoning districts** be amended by the adoption of a new subsection 16-16.003(24) of the Zoning Code of the City of Atlanta, which reads as follows:

(24) Supportive Housing;

Subsection 2(I)(2). That the uses permitted in **I-1 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-16.005(1)(p) of the Zoning Code of the City of Atlanta, which reads as follows:

(p) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(p) Shelter

Subsection 2(I)(3). That the off-street parking requirements in **I-1 zoning districts** be amended as set forth in the following subsections:

(1) That Section 16-16.09(20) of the Zoning Code of the City of Atlanta, which reads as follows:

(20) One space per employee, staff member or volunteer, plus one space for each 2,000 square feet of the facility.

Be amended by striking the existing language and replacing it with the following:

(20) *Shelter*: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2J. That the uses permitted in the **SPI-1 zoning district (Downtown)** be amended by the adoption of new entries in the “Residential Dwellings/Lodgings” portion of the table which follows Section 16-18A.006 of the City of Atlanta to indicate that Supportive Housing is a permitted use, as indicated by a ‘P’, in Subareas 1, 2, 3, 4, 5, 6 and 7 and indicate that Shelter is a permitted use only by special use permit, as indicated by a ‘SUP’ in Subareas

1,2,3,4,5,6 and 7.

Subsection 2K. That the uses permitted in the **SPI-3 zoning district (Midtown)** be amended by the adoption of a new subsection 16-18C.003(29) of the Zoning Code of the City of Atlanta, which shall read as follows:

(29) Supportive Housing;

Subsection 2(K)(2). That the uses permitted in **SPI-3 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-18C.005(1)(h) of the Zoning Code of the City of Atlanta, which reads as follows:

(h) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(h) Shelter

Subsection 2(K)(3). That the off-street parking requirements in **SPI-3 zoning districts** be amended as set forth in the following subsections:

(1) that Section 16-18C.009(c) of the Zoning Code of the City of Atlanta, which reads as follows:

(c) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Be amended by striking the existing language and replacing it with the following:

(c) *Shelter*: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2L. That the uses permitted in the **SPI-4 zoning district (Arts Center)** be amended by the adoption of a new subsection 16-18D.003(29) of the Zoning Code of the City of Atlanta, which shall read as follows:

(29) Supportive Housing;

Subsection 2(L)(2). That the uses permitted in **SPI-4 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-18D.005(1)(h) of the Zoning Code of the City of Atlanta, which reads as follows:

(h) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(h) Shelter

Subsection 2(L)(3). That the off-street parking requirements in **SPI-4 zoning districts** be amended as set forth in the following subsections:

(1) that Section 16-18D.009(c) of the Zoning Code of the City of Atlanta, which reads as follows:

(c) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Be amended by striking the existing language and replacing it with the following:

(c) *Shelter*: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2N. That the uses permitted in the **SPI-6 zoning district (Poncey-Highland)(subarea 3)** be amended by the adoption of a new subsection 16-18F.007(1)(d) of the Zoning Code of the City of Atlanta, which shall read as follows:

(d) Supportive Housing;

Subsection 2(N)(1). That the uses permitted in the **SPI-6 zoning district (Poncey-Highland)(subarea 4)** be amended by the adoption of a new subsection 16-18F.008(1)(e) of the Zoning Code of the City of Atlanta, which shall read as follows:

(d) Supportive Housing;

Subsection 2O. That the uses permitted in the **SPI-7 zoning district**

(Candler Park) be amended by the adoption of an amended subsection 16-18G.007(2) of the Zoning Code of the City of Atlanta, which shall read as follows:

(2) Subarea 3: A building or premise shall be used for two-family, multi-family attached dwellings, or Supportive Housing;

Subsection 2P. That the uses permitted in the **SPI-11 zoning district (Vine City & Ashby Station)** be amended by the adoption of new entries in the table which follows Section 16-18K.004 of the Zoning Code of the City of Atlanta to indicate that Supportive Housing is a permitted use, as indicated by a 'P', in Subareas 1, 2, 3, 8, 9, 10, 11 and 12 and indicate that Supportive Housing is not a permitted use, as indicated by a 'X', in Subareas 4, 5, 6, and 7 and indicate that Shelter is a permitted use only by special use permit, as indicated by a 'SUP' in Subareas 1, 2, 3, 9 10, 11 and 12 and indicate that Shelter is not a permitted use in Subareas 4, 5, 6, 7 and 8.

Subsection 2P(1). That Section 16-18K.004(1)(d)(1)(iv) of the Zoning Code of the City of Atlanta, which reads as follows:

(8) Supportive Housing;

Be deleted;

Subsection 2(P)(2). That Section 16-18K.004(1)(k)(8) of the Zoning Code of the City of Atlanta, which reads as follows:

(8) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Be deleted;

Subsection 2(P)(3). That the off-street parking requirements in **SPI-11 zoning district (Vine City & Ashby Station)** be amended by the adoption of a new subsection 16-18K.016(5)(k) of the Zoning Code of the City of Atlanta, which shall read as follows:

(k) Shelter: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2R. That the uses permitted in the **SPI-15 zoning district (Lindbergh)** be amended by the adoption of a new subsection 16-18O.005(15) of the Zoning Code of the City of Atlanta, which shall read as follows:

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(15) Supportive Housing;

Subsection 2(R)(2). That the uses permitted in **SPI-15 zoning district (Lindbergh)** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-18O.028(3)(a)(vi) of the Zoning Code of the City of Atlanta, which reads as follows:

(vi) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(vi) Shelter

Subsection 2(R)(3). That the off-street parking requirements in **SPI-15 zoning district (Lindbergh)** be amended as set forth in the following subsections:

(1) that Section 16-18O.022(5)(m) of the Zoning Code of the City of Atlanta, which reads as follows:

(m) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Be amended by striking the existing language and replacing it with the following:

(m) *Shelter*: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2S. That the uses permitted in the **SPI-16 zoning district (Midtown)** be amended by the adoption of a new subsection 16-18P.005(20) of the Zoning Code of the City of Atlanta, which shall read as follows:

(20) Supportive Housing;

Subsection 2(S)(2). That the uses permitted in **SPI-16 zoning district (Midtown Commercial Subarea 1)** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-18P.007(1)(h) of the Zoning Code of the City of Atlanta, which

reads as follows:

- (h) Supportive Housing in Commercial Subarea 1 only;

Be amended by striking the existing language and replacing it with the following:

- (h) Shelter in Commercial Subarea 1 only

Subsection 2(S)(3). That the off-street parking requirements in **SPI-16 zoning district (Midtown Commercial Subarea 1)** be amended as set forth in the following subsections:

(1) that Section 16-18P.022(5)(s) of the Zoning Code of the City of Atlanta, which reads as follows:

(s) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Be amended by striking the existing language and replacing it with the following:

(s) *Shelter*: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2T. That the uses permitted in the **SPI-17 zoning district (Piedmont Avenue)** be amended by the adoption of a new subsection 16-18Q.005(3) of the Zoning Code of the City of Atlanta, which shall read as follows:

- (3) Supportive Housing;

Subsection 2U. That the uses permitted in the **SPI-18 zoning district (Mechanicsville)** be amended by the adoption of a new entry in the table which follows subsection 16-18R.005 of the Zoning Code of the City of Atlanta, to indicate that Supportive Housing is a permitted use, as indicated by a 'P' in Subareas 1, 2, 3, 4, 9 and 10 and not a permitted use, as indicated by a 'X' in Subareas 5, 6, 7 and 8.

Subsection 2(U)(2). That the uses permitted in **SPI-18 zoning district (Mechanicsville)** be amended as set forth in the following subsections:

(1) That the table which follows subsection 16-18R.005 of the Zoning Code of the City of Atlanta, which indicates that Supportive Housing is a permitted use in

Subareas 1, 2, 3, 7, 8 and 9.

Be amended by striking the existing language and replacing it with the word "Shelter" so as to indicate such as a permitted use only by special use permit as indicated by a "SUP" in Subareas 1, 2, 3, 7, 8 and 9 and not a permitted use as indicated by a 'X' in Subareas 4, 5, 6 and 10.

Subsection 2(U)(3). That the off-street parking requirements in **SPI-18 zoning district (Mechanicsville)**, Section 16-18R.021(4)(o) of the Zoning Code of the City of Atlanta, which reads as follows:

(o) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

be amended to read as follows:

(o) Shelter: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2V. That the uses permitted in the **SPI-20 zoning district (Greenbriar)** be amended by the adoption of a new entry in the table which follows subsection 16-18T.005 of the Zoning Code of the City of Atlanta, to indicate that Supportive Housing is a permitted residential use, as indicated by a 'P', in Subareas 1, 2, 3, 4 and 5 and not a permitted use, as indicated by a 'X', in Subarea 6.

Subsection 2(V)(2). That the uses permitted in **SPI-20 zoning district (Greenbriar)** be amended as set forth in the following subsections:

(1) That the table which follows subsection 16-18T.005 of the Zoning Code of the City of Atlanta, which indicates that Supportive Housing is a permitted commercial use in Subareas 1, 2 and 3

Be amended by striking the existing language and replacing it with the word "Shelter" so as to indicate such as a permitted commercial use only by special use permit, as indicated by a 'SUP', in Subareas 1, 2 and 3 but not a permitted use, as indicated by a 'X', in Subareas 4, 5 and 6.

Subsection 2(V)(3). That the off-street parking requirements in **SPI-20 zoning district (Greenbriar)** be amended as set forth in the following subsections:

(1) That Section 16-18T.022(5)(p) of the Zoning Code of the City of Atlanta, which reads as follows:

(p) **Supportive Housing Facilities:** One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Be amended by striking the existing language and replacing it with the following:

(p) *Shelter:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2W. That the uses permitted in the **SPI-21 zoning district (Historic West End / Adair Park)** be amended by the adoption of a new entry in the “RESIDENTIAL” portion of the table which follows subsection 16-18U.008 of the Zoning Code of the City of Atlanta, to indicate that Supportive Housing is a permitted use, as indicated by a ‘P’, in Subareas 1, 2, 3, 4, 5, 6, 8, 9 and 10 and not a permitted use, as indicated by a ‘X’, in Subarea 7 .

Subsection 2(W)(2). That the uses permitted in the **SPI-21 zoning district (Historic West End / Adair Park)** be amended by the adoption of a new entry in the table which follows subsection 16-18U.008 of the Zoning Code of the City of Atlanta, to indicate that Shelter is a permitted use only by special use permit , as indicated by a ‘SUP, in Subareas 1, 2, and 3 and not a permitted use, as indicated by a ‘X’, in Subareas 4,5, 6, 7, 8, 9 and 10.

Subsection 2(W)(3). That the off-street parking requirements in the **SPI-21 zoning district (Historic West End / Adair Park)** be amended by the adoption of a new subsection 16-18U.024(6)(n) of the Zoning Code of the City of Atlanta, which shall read as follows:

(n) *Shelter:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2X. That the uses permitted in the **SPI-22 zoning district (Memorial Drive/Oakland Cemetery)** be amended by the adoption of a new entry in the table which follows subsection 16-18V.005 of the Zoning Code of the City of Atlanta, under the heading “Residential Dwellings/Lodgings ”to indicate that Supportive Housing is a permitted use, as indicated by a ‘P’, in Subareas 1, 3 and 4 and not a permitted use, as indicated by a ‘X’, in Subarea 2.

Subsection 2(X)(2). That the uses permitted in the **SPI-22 zoning district (Memorial Drive/Oakland Cemetery)** be amended by the adoption of a new entry in the table which follows subsection 16-18V.005 of the Zoning Code of the City of Atlanta, under the heading “Residential Dwellings/Lodgings” to indicate that Shelter is a permitted use only by special use permit, as indicated by a ‘SUP’, in Subareas 1, 2, 3 and 4.

Subsection 2(Y). That the uses permitted in **PD-MU zoning district (Planned Development – Mixed Use)** be amended as set forth in the following subsections:

(1) That Section 16-19B.003(16) of the Zoning Code of the City of Atlanta, which reads as follows:

(17) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(17) Supportive Housing with a Special Use Permit.

(18) Shelter with a Special Use Permit.

Subsection 2(Y)(2). That the off-street parking requirements in the **PD-MU zoning district (Planned Development – Mixed Use)** be amended by the adoption of a new subsection 16-19B.006(6) of the Zoning Code of the City of Atlanta, which shall read as follows:

(6) Shelter: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2Z. That the uses permitted in **PD-OC zoning district (Planned Development – Office – Commercial)** be amended as set forth in the following subsections:

(1) That Section 16-19C.003(16) of the Zoning Code of the City of Atlanta, which reads as follows:

(16) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(16) Supportive Housing with a Special Use Permit.

(17) Shelter with a Special Use Permit..

Subsection 2(Z)(2). That the off-street parking requirements in the **PD-OC zoning district (Planned Development – Office – Commercial)** be amended by the adoption of a new subsection 16-19C.006(6) of the Zoning Code of the City of Atlanta, which shall read as follows:

(6) Shelter: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2AB. That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **Martin Luther King Jr. Landmark District (Institutional District Subarea 3)** allow Supportive Housing to be included as a permitted use by the adoption of a new subsection 16-20C.006(1)(j) which shall read as follows:

(j) Supportive Housing;

Subsection 2AB(2). That the uses permitted in **Martin Luther King Jr. Landmark District (Institutional District Subarea 3)** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-20C.006(4) of the Zoning Code of the City of Atlanta, which reads as follows:

(4) *Special permits:* The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

a. *Special use permits:*

(1) Supportive Housing;

Be amended by striking the existing language and replacing it with the following:

(4) *Special permits:* The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

a. *Special use permits:*

(1) Shelter;

Subsection 2AB(3). That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **Martin Luther King Jr. Landmark District (Auburn Commercial District Subarea 4)** allow Supportive Housing to be included as a permitted use by the adoption of a new subsection 16-20C.007(1)(w) which shall read as follows:

(w) Supportive Housing;

Subsection 2(AB)(4). That the uses permitted in **Martin Luther King Jr. Landmark District (Institutional District Subarea 4)** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-20C.007(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) *Special permits:* The following uses shall require a The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

a. *Special exceptions:*

1. Poolrooms, billiard parlors, amusement arcades.
2. Churches, synagogues, temples and other religious worship facilities where lot area is less than one (1) acre.

b. *Administrative permits:* Temporary commercial activities may be permitted through the procedures for administrative permits stipulated in chapter 25 of this part, except that such authority is vested with the executive director of the AUDC.

c. *Special use permits:*

1. Supportive Housing

Be amended by striking the existing language and replacing it with the following:

(3) *Special permits:* The following uses shall require a The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

a. *Special exceptions:*

1. Poolrooms, billiard parlors, amusement arcades.
2. Churches, synagogues, temples and other religious worship facilities where lot area is less than one (1) acre.

b. *Administrative permits:* Temporary commercial activities may be permitted through the procedures for administrative permits stipulated in chapter 25 of this part, except that such authority is vested with the executive director of the AUDC.

c. *Special use permits:*

1. Shelter

Subsection 2AB(5). That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **Martin Luther King Jr. Landmark District (Edgewood Commercial District Subarea 5)** allow Supportive Housing to be included as a permitted use by the adoption of a new subsection 16-20C.008(1)(v) which shall read as follows:

- (v) Supportive Housing;

Subsection 2AB(6). That the uses permitted in **Martin Luther King Jr. Landmark District (Institutional District Subarea 5)** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-20C.008(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) *Special permits:* The following uses shall require a The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

- a. *Special exceptions:*
 - 1. Mortuaries, funeral homes.
 - 2. Poolrooms, billiard parlors, amusement arcades.
 - 3. Churches, synagogues, temples and other religious worship facilities where lot area is less than one (1) acre.
- b. *Administrative permits:* Temporary commercial activities may be permitted through the procedures for administrative permits stipulated in chapter 25 of this part, except that such authority is vested with the executive director of the AUDC.
- c. *Special use permits:*
 - 1. Supportive Housing

Be amended by striking the existing language and replacing it with the following:

(3) *Special permits:* The following uses shall require a The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

- a. *Special exceptions:*
 - 1. Mortuaries, funeral homes.
 - 2. Poolrooms, billiard parlors, amusement arcades.
 - 3. Churches, synagogues, temples and other religious worship facilities where lot area is less than one (1) acre.
- b. *Administrative permits:* Temporary commercial activities may be permitted through the procedures for administrative permits stipulated in chapter 25 of this part, except that such authority is vested with the executive director of the AUDC.
- c. *Special use permits:*
 - 1. Shelter

Subsection 2AC. That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **Baltimore Block Landmark District** allow

Supportive Housing to be included as a permitted use by the adoption of a new subsection 16-20F.004(1)(e) which shall read as follows:

(e) Supportive Housing;

Subsection 2AC(2). That the uses permitted in **Baltimore Block Landmark District** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-20F.007 of the Zoning Code of the City of Atlanta, which reads as follows:

Sec. 16-20F.007 *Special permits:*

The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

a. *Special use permits:*

(1) Supportive Housing.

Be amended by striking the existing language and replacing it with the following:

Sec. 16-20F.007 *Special permits:*

The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

a. *Special use permits:*

(1) Shelter.

Subsection 2AD. That Zoning Code of the City of Atlanta be amended to allow Supportive Housing as a use permitted in the **Neighborhood Commercial** by the adoption of a new subsection 16-32.005(9) which shall read as follows:

(9) Supportive Housing

Subsection 2AE. That Zoning Code of the City of Atlanta be amended to allow Supportive Housing as a use permitted in the **Live Work Zoning District** by the adoption of a new subsection 16-33.004(1)(d) which shall read as follows:

(d) Supportive Housing

Subsection 2AE(2). That the uses permitted in **Live Work Zoning District** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-33.006(1)(q) of the Zoning Code of the City of Atlanta, which reads as follows:

(q) Supportive Housing

Be amended by striking the existing language and replacing it with the following:

(q) Shelter

Subsection 2AE(3). That the off-street parking requirements in the **Live Work Zoning District** be amended by the adoption of a new subsection 16-33.020(4)(n) of the Zoning Code of the City of Atlanta, which shall read as follows:

(n) Shelter: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2AF. That Zoning Code of the City of Atlanta be amended to allow Supportive Housing as a use permitted in the **Mixed Residential Commercial Zoning District** by the adoption of a new subsection 16-34.005(30) which shall read as follows:

(30) Supportive Housing

Subsection 2AF(2). That Zoning Code of the City of Atlanta be amended to allow Shelter as a use permitted by special use in the **Mixed Residential Commercial Zoning District** by the adoption of a new subsection 16-34.007(1)(r) which shall read as follows:

(r) Shelter

Subsection 2AF(3). That the off-street parking requirements in the **Mixed Residential Commercial Zoning District** be amended by the adoption of a new subsection 16-34.021(7)(p) of the Zoning Code of the City of Atlanta, which shall read as follows:

(p) Shelter: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

Subsection 2AG. That Zoning Code of the City of Atlanta be amended to allow Supportive Housing as a use permitted in the **Multi-Family Residential Zoning District** by the adoption of a new subsection 16-35.005(6) which shall read as follows:

(6) Supportive Housing

SECTION 3. This ordinance shall become effective immediately upon its approval by the Council and signature by the Mayor or by operation of law.

(Do Not Write Above This Line)

AN ORDINANCE
BY COUNCILMEMBERS CARLA SMITH
AND IVORY LEE YOUNG, JR. AS
SUBSTITUTED BY ZONING
COMMITTEE

AN ORDINANCE TO AMEND VARIOUS
SECTIONS OF THE ZONING CODE OF
THE CITY OF ATLANTA, FOR THE
PURPOSE OF CLARIFYING AND/OR
DEFINING CERTAIN TERMS RELATED
TO SUPPORTIVE HOUSING AND
SHELTERS; TO PROVIDE WHERE
SUCH USES SHALL BE PERMITTED;
AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____

Chair _____
Referred to _____

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Refer To

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ FRC Vote

CERTIFIED

MAYOR'S ACTION